

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
 54111 BROUGHTON ROAD
 MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
 DEAN AUSILIO, VICE-CHAIRMAN
 MICHAEL D. KOEHS, SECRETARY
MEMBERS: CHARLES OLIVER
 JOA PENZIEN
 ARNOLD THOEL
 DEBORAH ZOLNOSKI

ABSENT: NONE

ALSO PRESENT: Jerome R. Schmeiser, Community Planning Consultant
 Colleen O'Connor, Township Attorney
 (Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

1. Roll Call.

Clerk KOEHS called the roll call. All members present

2. Approval of Agenda Items. (*With any corrections*)

MOTION by PENZIEN seconded by AUSILIO to approve the agenda as presented.

MOTION carried.

3. Approval of the February 15th, 2005 previous Meeting Minutes

MOTION by OLIVER seconded by THOEL to approve the February 15th, 2005 previous meeting minutes as submitted.

MOTION carried.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

AGENDA ITEMS:

4. **Land Division Variance; Buckingham Village Subdivision No. 2; Section No. 17-114 (a) & Section 17-140 (a) – Landscape easement completion requirements;** Located on the south side of 23 Mile Road east of Heydenreich Road. GTR Builders, Petitioner. Permanent Parcel No. 08-22-100-020.

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, zones of surrounding property and recommended that the request be approved provided that the standard conditions be fulfilled.

Petitioner Present: Christopher Cousino of GTR builders

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance; Buckingham Village Subdivision No. 2; Section Nos. 17-114 (a) & Section 17-140 (a) – to allow construction of homes within the subdivision without completion of the landscape plan as approved by the Township provided that the petitioner submit as built plans and that improvements are completed by June 1st, 2005. Permanent Parcel No. 08-22-100-020. The motion is based on the Planning Consultants recommendations as follows:

It is recommended that the variance request for Buckingham Village Subdivision No. 2 be approved as requested.

MOTION carried.

5. **Land Division Variance; Riviera Ridge Estates Subdivision; Section No. 17-132(d) – elimination of Stub Street;** Located on the east side of Card Road north of 22 Mile Road. Riviera Ridge Estates LLC, Petitioner. Permanent Parcel No. 08-23-300-022

Jerome R. Schmeiser, Community Planning Consultant, briefly described the location of the proposal, zones of surrounding properties and recommended that the request be approved provided that the standard conditions be fulfilled.

Petitioner Present: John Cavaliere

Public Portion: None

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance; Riviera Ridge Estates Subdivision; Section No. 17-132(d) – Elimination of Stub Street to the east crossing the north branch of the Clinton River. Permanent Parcel No. 08-23-300-022. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the variance request for the Riviera Ridge Estates Subdivision be approved as requested.

MOTION carried.

6. **Preliminary Site Condominium Plan; Becher Estates;** Located on the north side of Marseilles Drive, 1/3 mile north of 22 Mile Road. Marseilles Development, LLC. Permanent Parcel No. 08-21-376-001 & 08-21-326-001

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request addressing his concerns regarding the need of a variance for Marseilles Road connection.

Petitioner Present: Roy Sera

The Members of the Board held further discussion with the petitioner and Community Planning Consultant. After due consideration the petitioner requested that the matter be tabled.

MOTION by AUSILIO seconded by OLIVER to table the matter indefinitely at the petitioners request for the Preliminary Site Condominium Plan; Becher Estates; Permanent Parcel No. 08-21-376-001 & 08-21-326-001.

MOTION carried.

7. **Final Preliminary Plat; Elan Estates Subdivision;** Located on the south side of 24 Mile Road, approximately ¼ mile east of Card Road; Elan Estates, LLC, Petitioner. Permanent Parcel No. 08-14-100-003.

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, surrounding property zones and recommended approval.

The Members of the Board held further discussion addressing their concerns regarding the Michcon Gas line. Mr. Cavaliere agreed that he would amend the restrictive covenants to address the Michcon Gas locations and to include turn around drive ways for lots 115&116.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

Petitioner Present: John Cavaliere and Justin Arnolds of Anderson Eckstein & Westrick.

Public Portion: None

MOTION by OLIVER seconded by ZOLNOSKI to forward the recommendation to the Township Board of Trustees to approve the Final Preliminary Plat; Elan Estates Subdivision contingent upon amending the restrictive covenants to include the location of Michcon Gas Line specifically involving lot numbers 6-12 & 105 -111 and that lot numbers 115 & 116 are developed with on site turn around driveways. Permanent Parcel No. 08-14-100-003. This motion is based on the Planning Consultants recommendations as follows:

1. The petitioner submit evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulation.
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. The Township Engineer approves all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative preliminary plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinance.
6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

- must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
 8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plan are true and accurate as they provide the basis for this recommendation.
 9. That the “landscape easement” that area labeled on the plat as, “The entire common area is subject to a private easement dedicated to the ownership association for landscaping” has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.
 10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.
 11. All street names be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after final preliminary plat approval by the Township Board.
 12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4” x 4” black posts with two inch white letter so that the street can be easily identified during the construction of the plat.
 13. That the Restrictive Covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The ‘Restrictive Covenants’ must be approved by the Township Attorney before an application will be received for Final Plat.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The 'Articles of Incorporation' must be approved by the Township Attorney before an application will be received for Final Plat.
15. That the developer shall be responsible for having the Contract between Detroit Edison and Macomb Township executed and must establish the corresponding SAD for lamp charges. These items must be completed prior to the Developer applying for approval of the Final Plat.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

17. That the Restrictive Covenants include the lots abutting the MichCon Gas Main. Those lots being Lots 6 – 12 and 105 – 111.
18. That lots 115 and 116 be provided with on site turn arounds to eliminate vehicles backing onto 24 Mile Road.

MOTION carried.

8. **Final Preliminary Plat; Pinnacle Woods Subdivision;** Located on the south side of 23 Mile, 330 feet west of Townships limits; Landtec Development, Petitioner. Permanent Parcel No. 08-24-226-018.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, zones of surrounding properties and recommended approval.

Petitioner Present: Justin Arnolds of Anderson Eckstein & Westrick

Public Portion: Jeff Sawyer representative on behalf of Bello Woods Golf Course addressed his concerns regarding issues with debris caused from surrounding developments.

MOTION by KOEHS seconded by AUSILIO to forward the recommendation to the Township Board of Trustees to approve the Final Preliminary Plat; Pinnacle Woods Subdivision conditioned on revised plans being submitted to the Township Clerks Department showing the eight foot (8') pathway along the major road being 23 Mile Road. Permanent Parcel No. 08-24-226-018. This motion is based on the Planning Consultants recommendations as follows:

1. The petitioner submit evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulation.
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. The Township Engineer approves all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinance.
6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.

7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plan are true and accurate as they provide the basis for this recommendation.
9. That the "landscape easement" that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.
10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.
11. All street names be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after final preliminary plat approval by the Township Board.
12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letter so that the street can be easily identified during the construction of the plat.
13. That the Restrictive Covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The 'Restrictive Covenants' must

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

be approved by the Township Attorney before an application will be received for Final Plat.

14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The 'Articles of Incorporation' must be approved by the Township Attorney before an application will be received for Final Plat.
15. That the developer shall be responsible for having the Contract between Detroit Edison and Macomb Township executed and must establish the corresponding SAD for lamp charges. These items must be completed prior to the Developer applying for approval of the Final Plat.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

17. That revised plans be submitted showing the eight foot (8') pathway along the major road being 23 Mile Road.

MOTION carried.

9. **Site Plan; Schoolhouse Montessori Macomb;** Located on the south side of 23 Mile approximately 200 feet east of Romeo Plank Road. Tyla Wells, Petitioner. Permanent Parcel No. 08-20-200-043.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, surrounding property zones and the recommendation to approve the request.

Petitioner Present: John Cavaliere

Public Portion: None

MOTION by AUSILIO seconded by KOEHS to approve the site plan for the Schoolhouse Montessori Macomb pursuant to the Planning Consultants recommendations. Permanent Parcel No. 08-20-200-043. This motion is based on the Planning Consultants recommendations as follows:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.

8. That a bond in the amount of \$284,774.65 be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no light or glare from lights will shine into the abutting residential areas.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

Based on the approval granted by the Township Planning Commission on March 1, 2005, your final engineering plans may be submitted to the Township Water and Sewer Department.

Upon receipt of the following the Building Department and Water/Sewer Department will be notified that construction and building permits may be issued:

- **Notification from the Township Consulting Engineer that the engineering plans have been approved.**
- **That the required bond as indicated in item no. 8 above has been posted.**

A site plan approval shall be valid for one year after the date of approval. If a valid building permit has not been obtained and construction started within one (1) year from the Planning Commission approval of March 1, 2005, the approval becomes null and void unless renewed or extended by a specific Planning Commission action. If approval is not extended before March 1, 2006, then a new application and a new approval shall be required before a building permit may be issued.

MOTION carried.

10. **Land Division Variance; Tesner Park Subdivision; Section Nos. 17-114(a) & 17-140 (a) – Landscape easement completion requirements;** Located on the east side of Card Road approximately ½ mile north of Hall Road. V & M Development, Petitioner. Permanent Parcel No. 08-35-300-037.

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, surrounding property zones and the recommendation to approve the request.

Petitioner Present: Thomas Kellogg

Public Portion: None

MOTION by KOEHS seconded by AUSILIO to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance request for Tesner Park Subdivision relating to the Township Land Division Ordinance Section Nos. 17-114(a) & 17-140(a) – To allow construction of homes within subdivision without completion of the landscape easement as approved by the Township provided that the petitioner submit as built plans and improvements are completed by until June 1st, 2005. Permanent Parcel No. 08-35-300-037. This motion is based on the Planning Consultants recommendations as follows:

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

It is recommended that the variance request for the Tesner Park Subdivision be approved as requested.

MOTION carried.

11. **Site Plan; Pilot Industrial Park**; Located on the north side of 23 Mile Road approximately ¼ mile east of Hayes Road. Santo Landa, Petitioner. Permanent Parcel No. 08-18-400-019.

Jerome R. Schmeiser, Community Planning Consultant, described the location of the proposal, surrounding property zones and the recommendation to approve the request.

Petitioner Present: Santo Landa

Public Portion: None

MOTION by KOEHS seconded by THOEL to approve the site plan for Site Plan; Pilot Industrial Park pursuant to the Planning Consultants recommendations subject to a revised site plan being submitted to the Township Clerks Department showing gated outdoor storage. Permanent Parcel No. 08-18-400-019. This motion is based on the Planning Consultants recommendations as follows:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**
3. **The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**
4. **The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

Road Commission, Michigan Department of Transportation, and the Township Engineer.

- 5. Sidewalks to be provided to the satisfaction of the Township Engineer.**
- 6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
- 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
- 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount to be approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
- 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.**
- 10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
- 11. That all signs be designated on the site plan and meet the Township requirements.**
- 12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**
- 13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.

- 14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.**
- 15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.**
- 16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.**
- 17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.**
- 18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.**
- 19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.**
- 20. That all requirements of the Zoning Ordinance be met.**
- 21. Since the matter being considered is a revised site plan, than all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.**
- 22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no light or glare from lights will shine into the abutting residential areas.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That revised drawings be submitted showing the gating of outside storage.

Based on the approval granted by the Township Planning Commission on March 1, 2005, final engineering plans may be submitted to the Township Water and Sewer Department.

Upon receipt of the following the Building Department and Water/Sewer Department will be notified that construction and building permits may be issued:

- Notification from the Township Consulting Engineer that the engineering plans have been approved.
- That the required bond as indicated in item no. 8 above has been posted.
- Submit revised drawings and indicated in item 25 above.

A site plan approval shall be valid for one year after the date of approval. If a valid building permit has not been obtained and construction started within one (1) year from the Planning Commission approval of March 1, 2005, the approval becomes

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, MARCH 1st, 2005

null and void unless renewed or extended by a specific Planning Commission action. If approval is not extended before March 1, 2006, then a new application and a new approval shall be required before a building permit may be issued.

MOTION carried.

PLANNING CONSULTANTS COMMENTS: None

PLANNING COMMISSION COMMENTS:

Clerk KOEHS informed the Members of Commission of the next Township Board of Trustees meeting regarding the request to authorize commencement of the Township Land Division Ordinance review and revisions.

12. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by AUSILIO to receive and file all correspondence in connection with this agenda.

MOTION carried.

ADJOURNMENT:

MOTION by AUSILIO seconded by KOEHS to adjourn the meeting at 8:29 p.m.
MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb